

PART A OF THE SUPPORTING STATEMENT

1. Identification of the Information Collection

(a) Title and Number of the Information Collection.

"Recordkeeping and Reporting Requirements for Source Categories: Generic Maximum Achievable Control Technology Standards." This is a new information collection request (ICR). This is a new information collection request (ICR) and the tracking number is EPA ICR No. 1871.02.

(b) Short Characterization.

This ICR is prepared for a U.S. Environmental Protection Agency (EPA) promulgated rule developed under authority of Section 112 of the Clean Air Act (Act). The promulgated rule amends title 40, chapter I, part 63 of the Code of Federal Regulations (CFR) by adding a new subpart YY -- National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards (hereafter, this subpart is referred to as the "generic MACT NESHAP"). The generic MACT NESHAP includes standards for major sources of hazardous air pollutants (HAP). Respondents are owners or operators of source category affected sources regulated under the generic MACT NESHAP.

This ICR is for HAP emission sources in the acetal resins (AR) production, acrylic and modacrylic fiber (AMF) production, hydrogen fluoride (HF) production, and polycarbonates (PC) production source categories.

The AR production source category consists of 2 facilities that will be subject to the major source provisions specified under the generic MACT NESHAP. The AMF production source category consists of 3 facilities that will be subject to the major source provisions specified under the generic MACT NESHAP. The HF production source category consists of 1 facility that will be subject to the major source provisions specified under the generic MACT NESHAP. The PC production source category consists of 4 PC production facilities that will be subject to the major source provisions specified under the generic MACT NESHAP.

All existing sources must be in compliance with the requirements of the generic MACT NESHAP within 3 years of the effective date (promulgation date) of standards for an affected source. All new sources must be in compliance with the requirements of the generic MACT NESHAP upon startup or the promulgation date of standards for an affected source, whichever is later.

2. *Need For and Use of the Collection*

(a) Need/Authority for the Collection.

The EPA has been directed by section 112 of the Act to regulate the emission of HAP from stationary sources. Acetal resins, AMF, HF, and PC production source categories are major sources of HAP emissions included on the EPA's list of categories scheduled for regulation.

Section 114 of the Act gives the EPA authority to collect data and information necessary to enforce standards established under section 112 of the Act. Certain records and reports are necessary to enable the Administrator to (1) identify existing and new sources subject to the generic MACT NESHAP and (2) ensure that the requirements specified for an affected source subject to the generic MACT NESHAP, which are based on MACT, are being achieved.

(b) Use/Users of the Data.

The information will be used by the EPA's enforcement personnel to (1) identify existing and new HAP emission points subject to the generic MACT NESHAP, (2) identify the emission control devices and methodologies being applied, and (3) ensure that the emission control devices and methodologies are being properly operated and maintained on a continuous basis.

Records and reports are necessary to enable the EPA to identify facilities subject to the generic MACT NESHAP that may not be in compliance. Based on reported information, the EPA can decide whether to inspect a facility and which records or processes to inspect. The records that facilities maintain must indicate to the EPA whether facility personnel are operating and maintaining emission control devices and methodologies properly.

3. *The Respondents and the Information Requested*

(a) Respondents/SIC Codes.

Respondents are owners or operators of HAP-emitting affected sources in the AR production, AMF production, HF production, and PC production source categories. The source categories and affected sources regulated with the promulgation of the generic MACT NESHAP are classified in the four-digit Standard Industrial Classification (SIC) Codes 2819 for Industrial Inorganic Chemicals, Not Elsewhere Classified (hydrogen fluoride production); 2821 for Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers (acetal resins production); 2824 for Manmade Organic Fibers, Except Cellulosis (acrylic and modacrylic fiber production); and 2822 for Synthetic Rubber (Vulcanizable Elastomers)(polycarbonates production).

(b) Information Requested.

(i) *Data items, including recordkeeping requirements.* The generic MACT NESHAP requires that an owner or operator of a major source reduce specified affected source HAP emissions. The affected source and emissions control requirements are determined on a source category-specific basis. Attachment 1, Source Data and Information Requirement, summarizes the recordkeeping and reporting requirements, and specific rule provisions that require them, for the AR production, AMF production, HF production, and PC production source categories. Information requirements being promulgated under the generic MACT NESHAP that will apply to all source categories that will be regulated with this promulgation rulemaking package are discussed in the following paragraphs.

Respondents are required to submit one-time reports of the (1) start of construction for new facilities, (2) anticipated and actual start-up dates for new facilities, and (3) physical or operational changes to existing facilities. Owners and operators must also submit semi-annual reports of the monitoring results under the leak detection and repair program (if applicable for a subject source category). All records are to be maintained by the facility for a period of at least 5 years.

An affected source with an initial startup date before the promulgation date of standards for an affected source under the generic MACT NESHAP must submit a one-time initial notification.

This initial notification must be submitted within one year after the promulgation date of standards for an affected source under the generic MACT NESHAP (or within 1 year after the affected source becomes subject to the generic MACT NESHAP).

For sources constructed or reconstructed after the promulgation date of standards for an affected source under the generic MACT NESHAP, the source must submit an application for approval of construction or reconstruction. The application is required to contain information on the air pollution control that will be used for each potential HAP emission point.

The information in the initial notification and the application for construction or reconstruction will enable enforcement personnel to identify the number of sources subject to, or are already in compliance with, the standards.

Affected sources subject to standards under the generic MACT NESHAP must submit a notification of compliance status. This notification must be signed by a responsible company official who certifies its accuracy and that the affected source has complied with the relevant standards. Performance test results (as applicable) are included as part of the compliance status report. The notification of compliance status must be submitted within 60 days after the compliance date specified for an affected source subject to the generic MACT NESHAP.

In addition, affected sources subject to the promulgated generic MACT NESHAP are required to install continuous parameter monitoring systems (CPMS) to conduct a performance evaluation of the CPMS. A report of the performance evaluation results is required to be submitted to the delegated authority. Excess emissions and CPMS performance reports documenting excess emissions and parameter monitoring exceedances are required to be submitted to the delegated authority semi-annually. Submittal of these reports is required quarterly when the CPMS data are used to demonstrate compliance and the facility experiences excess emissions.

The generic MACT NESHAP requires owners or operators of affected sources to develop startup, shutdown, and malfunction plans, documenting procedures that will be taken in the case of any of these

events. Startup, shutdown, and malfunction reports demonstrating the actions taken by an owner or operator in the event of a startup, shutdown, or malfunction are required to be submitted. Reports are required semi-annually when actions taken are consistent with the plan. Immediate reports are required when actions taken are inconsistent with the plan.

The generic MACT NESHAP requires owners or operators of an affected source to retain records for 5 years, which exceeds the three year retention period contained in the guidelines in 5 CFR 1320.6. The 5 year retention period is consistent with the provisions of the General Provisions of 40 CFR Part 63 and the retention requirement in the operating permit program under Title V of the Act.

(ii) Respondent Activities.

Respondent activities for major sources are shown for each of the first 3 years following promulgation of the rule. The respondent activities required by the generic MACT NESHAP for the AR production, AMF production, HF production, and PC production source categories for existing sources are presented in the first column of Tables 1a, 1b, and 1c for AR production; Tables 2a, 2b, and 2c for AMF production; Tables 3a, 3b, and 3c for HF production; and Tables 4a, 4b, and 4c for PC production. There are no new sources anticipated for any of these source categories within the first 3 years after promulgation of standards for subject affected sources. These tables are introduced in Section 6(a) of this ICR.

4. The Information Collected--Agency Activities, Collection Methodology, and Information Management

(a) Agency Activities.

A list of the EPA's activities is provided in Tables 5a through 5d. These tables are introduced in Section 6(c) of this ICR.

(b) Collection Methodology and Management.

Information contained in the one-time only reports will be entered into the Aerometric Information Retrieval System (AIRS) Facility Subsystem (AFS) that is maintained and operated by the EPA's Office of Air Quality Planning and Standards (OAQPS). Data obtained during periodic visits by EPA personnel from records maintained by

the respondents will be tabulated and published for internal EPA use in compliance and enforcement programs.

(c) Small Entity Flexibility.

Minimizing the information collection burden for all sizes of organizations is a continuing effort on the EPA's part. The EPA has reduced the recordkeeping and reporting requirement respondent burden to include only the information needed by the EPA to determine compliance with the generic MACT NESHAP.

(d) Collection Schedule.

Collection of data will begin after promulgation of standards under the generic MACT NESHAP. The schedule for reports required by the generic MACT NESHAP for the AR production, AMF production, HF production, and PC production source categories are summarized below.

The initial notification is due one year after the date of promulgation for existing sources. For new sources, it is due no later than one year after initial startup of the source. The notification of compliance status is required to be submitted 60 days following completion by the source of the compliance demonstration specified in the regulation.

Major sources are required to submit periodic excess emissions and CPMS performance summary reports on a semi-annual basis. Major sources must submit startup, shutdown, malfunction reports semi-annually when actions taken in the event of a startup, shutdown, or malfunction are consistent with the source's startup, shutdown, malfunction plan. If actions taken are not consistent with the source's plan, an immediate report must be submitted.

The equipment leak standards require the submittal of an initial report and semi-annual reports of LDAR experiences and any changes to the processes, monitoring frequency and initiation of a quality improvement program. The schedule for submission of these reports is detailed below.

For existing sources, the owner or operator is required to submit the initial report within 90 days after the applicability date of standards for an affected source under the generic MACT NESHAP. For new sources, the initial report is required to be submitted with the application for construction.

Every 6 months after the initial report, a report is required to be submitted that summarizes the monitoring results from the LDAR program and provides a notification of initiation of monthly monitoring, if applicable.

5. *Nonduplication, Consultations, and Other Collection Criteria*

(a) Nonduplication.

A search of the EPA's existing standards and ongoing ICRs revealed no duplication of information gathering efforts. However, certain reports required by State or local agencies may duplicate information required under the generic MACT NESHAP. In such cases, a copy of the report submitted to the State or local agency can be provided to the Administrator in lieu of the report required by the generic MACT NESHAP.

(b) Consultations.

Consultations with numerous representatives of companies involved in AR production, AMF production, HF production, and PC production source categories were conducted in the presumptive MACT development process and the generic MACT NESHAP development process which establishes MACT for each of these source categories. Tables 6, 7, 8, and 9 present the names, affiliation, and telephone numbers of persons that provided input during the development of the proposed generic MACT NESHAP for the AR production, AMF production, HF production, and PC production source categories.

A 90-day public comment period was provided after proposal, during which all affected parties were given the opportunity to comment on the generic MACT NESHAP. All received comments were considered and some changes were made in the development of the promulgated generic MACT NESHAP.

Table 6. Acetal Resins Production Consultations

| Name | Affiliation | Telephone Number |
|---------------|--|------------------|
| Will Bacon | Alabama Division of Environmental Management/ Stappa/Alapco | 334-271-7861 |
| Rita Beyers | Hoechst Celanese/Industry | 512-584-6334 |
| Larry Brown | Alabama Division of Environmental Management Stappa/Alapco | 334-271-7861 |
| John Dege | Dupont/Industry | 302-773-0900 |
| Wolfgang Heim | Ultraform/Industry | 334-443-1603 |
| Walt Stewart | Dupont/Industry | 304-863-4271 |

Table 7. Acrylic and Modacrylic Fiber Production Consultations

| Name | Affiliation | Telephone Number |
|-----------------|--|----------------------------|
| Leonardo Ceron | EPA Region IV | (404) 562-9129 |
| Anthony Toney | EPA Region IV | (404) 562-9133 |
| John Glunn | Florida Department of Environmental Management/State Agency | (904) 488-0114 |
| Larry Brown | Alabama Department of Environmental Management/State Agency | (334) 271-7801 |
| Stephen Byrne | Cytec Industries Incorporated/ Industry | (908) 862-6000, ext 231 |
| Glenn Paul | Hexcel Corporation (Hercules Incorporated)/ Industry | (205) 340-4143 |
| Alice Boomhower | Amoco Polymers Incorporated/ Industry | (312) 856-2326 |
| Neil Sherrets | Cytec Industries Incorporated/ Industry | (908) 862-6000, ext 231 |
| Leigh Whitfield | Monsanto/Industry | (205) 552-2879 |

Table 8. Hydrogen Fluoride Production Consultations

| Name | Affiliation | Telephone Number |
|-------------------|--|------------------|
| Steve Bader | Elf Atochem/Industry | 502-395-6465 |
| Karn Cheek-Deajon | Dupont/Industry | 713-470-3521 |
| John Dege | Dupont/Industry | 302-773-0900 |
| Donna Hathaway | Louisiana Department of Environmental Quality/State Agency | 504-765-0182 |
| Bob Marting | Louisiana Department of Environmental Quality/State Agency | 504-765-0113 |
| Jim Neal | Kentucky Department of Air Quality /State Agency | 502-573-3382 |
| Sonny Rommelman | Elf Atochem/Industry | 502-395-6312 |
| Robert Todd | EPA Region VI/EPA | 214-665-2156 |
| Gerald Walker | Elf Atochem/Industry | 502-395-6647 |

Table 9. Polycarbonates Production Consultations

| Name | Affiliation | Telephone Number |
|------------------|------------------------------|------------------|
| John Bates | Indiana/State Agency | 317-233-5686 |
| Mike Brooks | Indiana/State Agency | 317-233-4226 |
| Stephen Capone | General Electric/Industry | 413-448-7609 |
| Bernadine Flood | General Electric/Industry | 812-831-4687 |
| Steve Knis | Dow/Industry | 409-238-1695 |
| Mark Minnear | Dow/Industry | 409-238-1695 |
| George Pavlovich | Miles/Industry | 412-777-4872 |
| Al Stepney | Texas/State Agency | 512-239-1830 |
| Matt Tanzer | General Electric/Industry | 413-448-6355 |
| Robert Todd | Texas/State Agency | 512-239-1281 |

(c) Effects of Less Frequent Collection.

If the relevant information were collected less frequently, the EPA would not be reasonably assured that an affected source is in compliance with the generic MACT NESHAP. In addition, the EPA's authority to take administrative action would be reduced significantly.

Section 113(d) of the Act limits the assessment of administrative penalties to violations which occur no more than 12 months before initiation of the administrative proceeding. Since administrative proceedings are less costly and require use of fewer resources than judicial proceedings, both the EPA and the regulated community benefit from preservation of the EPA's administrative powers.

(d) General Guidelines.

The generic MACT NESHAP requires owners or operators of an affected source to retain records for 5 years, which exceeds the 3 year retention period contained in the guidelines in 5 CFR 1320.6. The 5 year retention period is consistent with the provisions of the General Provisions of 40 CFR Part 63 and the retention requirement in the operating permit program under Title V of the Act.

(e) Confidentiality and Sensitive Questions.

i. Confidentiality. All information submitted to the EPA for which a claim of confidentiality is made will be safeguarded according to the EPA policies set forth in Title 40, Chapter 1, Part 2, Subpart B, Confidentiality of Business Information. See 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 3999, September 8, 1978; 43 FR 42251, September 28, 1978; and 44 FR 17674, March 23, 1979. Even when the EPA has determined that data received in response to an ICR is eligible for confidential treatment under 40 CFR Part 2, Subpart B, the EPA may nonetheless disclose the information if it is "relevant in any proceeding" under the statute [42 U.S.C. § 7414 (C); 40 CFR 2.301 (g)]. This information collection complies with the Privacy Act of 1974 and Office of Management and Budget (OMB) Circular 108.

ii. Sensitive Questions. Information to be reported consists of emissions data and other information that are not of a sensitive

nature. No sensitive personal or proprietary data are being collected.

6. *Estimating Burden and Cost of the Collection*

(a) Estimating Respondent Burden.

The existing major source annual burden estimates for recordkeeping and reporting are presented in Tables 1a through 1d for AR production; Tables 2a through 2d for AMF production; Tables 3a through 3d for HF production; and Tables 4a through 4d for PC production. There is no annual burden estimate for new major sources based on the assumption that there will be no new sources subject to the generic MACT NESHAP in the first 3 years after promulgation of standards for these source categories.

The estimates of total technical labor hours per year per source and the number of activities per respondent per year listed in each table are based upon experience with similar information collection requirements in other standard development efforts and the number of emission points in each source. Activities that are one-time only activities are noted in the tables.

(b) Estimating Respondent Costs.

The information collection activities for the first 3 years for affected sources subject to the generic MACT NESHAP with this proposal are presented in Tables 1a through 4d. The costs of these activities are based on the 1992 Comprehensive Assessment and Information Rule (CAIR) economic analysis with estimated wage rates of \$60.00 per hour (\$60/hr) for management labor, \$44/hr for technical labor, and \$25/hr for administrative labor. For the purposes of this analysis, it is assumed that each labor hour is composed of 5 percent management, 85 percent technical, and 10 percent administrative.

(c) Estimating the EPA's Burden and Cost.

Because the information collection requirements were developed as an incidental part of the generic MACT NESHAP, no costs can be attributed to the development of the information collection requirements.

Because recordkeeping and reporting requirements on the part of the respondents are required under section 112 of the Act, no operational costs will be incurred by the Federal government. Publication and distribution of the information are part of the AFS operated and maintained by OAQPS, with the result that no Federal costs can be directly attributed to the ICR.

Examination of records to be maintained by the respondents will occur incidentally as part of the periodic inspection of affected sources. Periodic inspections are part of the EPA's overall compliance and enforcement program. Therefore, these examinations are not attributable to the ICR. The only costs that the Federal government will incur are user costs associated with the analysis of the reported information, as presented in Tables 5a through 5d for source categories regulated under the generic MACT NESHAP with this proposal. These burden estimates assume that there will be no new sources in the first 3 years following promulgation of standards for the subject source categories. Labor rates and associated costs are based on estimated wage rates \$56/hr (GS-15/3 level) for management, \$34/hr (GS-12/3 level) for technical, and \$17/hr (GS-6/3 level) for administrative. Labor rates include 60 percent for overhead expenses.

(d) Bottom Line Burden Hours and Costs/Master Tables.

i. The Simple Collection. The bottom line respondent burden hours and costs, presented in Tables 1a through 4d, are calculated by adding total person-hours and costs from each of the tables.

The estimated total nationwide burden for regulated major sources in the first 3 years of the generic MACT NESHAP would be an estimated 6,125 total labor hours per year at a cost of \$262,750 per year.

The total estimated annual labor hour reporting and recordkeeping burden is presented in Box 13 of OMB 83-1. The total annualized capital and startup cost in Box 14 reflects the estimated capital costs for equipment required for monitoring, inspection, recordkeeping, and reporting (MIRR) activities associated with the major source provisions of the promulgated standards. The total estimated installed capital costs of this equipment is \$0. This estimate is based on the assumption that the source categories being regulated with this proposal currently have the monitoring equipment required to comply with the promulgated standards.

The total annual estimated operating and maintenance costs (O&M) in Box 14 of OMB 83-1 are calculated based on (1) the estimated storage, filing, photocopying, and postage costs for the estimated total annual responses of 89 (see Box 13 of OMB 83-1) associated with the provisions of the promulgated generic MACT NESHAP and (2) the O&M costs for the (a) equipment required for CPMS and (b) the equipment required to implement LDAR programs. Storage, filing, and photocopying costs per response is estimated at 0.5 hour of administrative labor at a rate of \$25/hr or \$12.50 per response for multiple copies. First class postage is estimated at \$7.63 per response for mailing of an one pound package and two one half pound packages to regulatory agencies. Thus, the total storage, filing, photocopying, and postage cost per response is \$20.13, for an annual estimated total of \$1,792.

ii. The EPA Tally. The bottom line Federal government burden hours and costs that would result from this ICR are presented in Tables 5a through 5d for the source categories being promulgated with this rulemaking package. These estimates are calculated by adding total person-hours and costs from each of the tables. Table 5d

summarizes the Federal government burden hours and costs for existing AR production, AMF production, HF production, and PC production source categories.

The estimated total annual labor hours and costs of the generic MACT NESHAP for the AR production, AMF production, HF production, and PC production source categories in the first 3 years after promulgation are 1,700 total labor hours per year at a cost of \$57,000 per year.

iii. The Complex Collection. This collection is a simple collection, therefore, this section does not apply.

iv. Variations in the Annual Bottom Line. Variation in the annual bottom line for this regulation may occur (1) due to the fact that certain one-time activities would typically occur in the first year following promulgation of the rule and (2) by the third year following promulgation of the rule, when all sources must be in compliance, and will therefore be subject to recurring recordkeeping and reporting requirements.

(e) Reasons for Change in Burden.

This section does not apply because this is a new collection.

PART B OF THE SUPPORTING STATEMENT

Not applicable. No sampling or other methods are used to select respondents because all owners and operators of facilities subject to the generic MACT NESHAP are required to collect information.